

United States District Court
Southern District of Florida
 MIAMI DIVISION

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

v.

Case Number: 05-20859-CR-HUCK

RICHARD LACLE

USM Number: 64697-004

Counsel For Defendant: Jack M. Denaro, Esq.
 Counsel For The United States: Richard Gregorie, AUSA
 Court Reporter: Patricia Sanders

The defendant pleaded guilty to Count(s) 1 of the Superseding Information.

The defendant is adjudicated guilty of the following offense(s):


<u>TITLE/SECTION NUMBER</u>	<u>NATURE OF OFFENSE</u>	<u>OFFENSE ENDED</u>	<u>COUNT</u>
18 U.S.C. §371	Conspiracy to structure financial transactions	March 15, 2002	1

The defendant is sentenced as provided in the following pages of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

Count(s) remaining are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of any material changes in economic circumstances.

Date of Imposition of Sentence:
 1/16/2007


 PAUL C. HUCK
 United States District Judge

January 17, 2007

The United States Department of Justice
 certifies that this is a true copy of the
 original document in the inmate's file
 maintained by the Bureau of Prisons.

For: Office of Enforcement Operations
 United States Department of Justice

DEFENDANT: RICHARD LACLE
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IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 16 Months as to Count One.

The Court makes the following recommendations to the Bureau of Prisons:

1. The defendant be placed in a facility that will meet his medical needs as close to South Florida as possible.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 2:00 P.M. on March 12, 2007.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____ with a certified copy of this judgment.

UNITED STATES MARSHAL

By: _____
Deputy U.S. Marshal

DEFENDANT: RICHARD LACLE
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SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years as to Count One.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

1. The defendant shall not leave the judicial district without the permission of the court or probation officer;
2. The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
3. The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4. The defendant shall support his or her dependents and meet other family responsibilities;
5. The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
6. The defendant shall notify the probation officer at least ten (10) days prior to any change in residence or employment;
7. The defendant shall refrain from the excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
8. The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9. The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
10. The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
11. The defendant shall notify the probation officer within seventy-two (72) hours of being arrested or questioned by a law enforcement officer;
12. The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
13. As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: RICHARD LACLE
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SPECIAL CONDITIONS OF SUPERVISION

The defendant shall also comply with the following additional conditions of supervised release:

If the defendant resides in the United States, the defendant shall perform 6 hours per week of community service as monitored by the U.S. Probation Officer.

At the completion of the defendant's term of imprisonment, the defendant shall be surrendered to the custody of the U.S. Immigration and Customs Enforcement for removal proceedings consistent with the Immigration and Nationality Act.

If removed, the defendant shall not reenter the United States without the prior written permission of the Undersecretary for Border and Transportation Security. The term of supervised release shall be non-reporting while the defendant is residing outside the United States. If the defendant reenters the United States within the term of supervised release, the defendant is to report to the nearest U.S. Probation Office within 72 hours of the defendant's arrival.

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CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the Schedule of Payments.

Total Assessment

\$100.00

Total Fine

\$15,000.00

Total Restitution

\$

*Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18, United States Code, for offenses committed on or after September 13, 1994, but before April 23, 1996.

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SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

A. Lump sum payment of \$15,100.00 due immediately.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

The assessment/fine/restitution is payable to the **CLERK, UNITED STATES COURTS** and is to be addressed to:

U.S. CLERK'S OFFICE
ATTN: FINANCIAL SECTION
301 N. MIAMI AVENUE, ROOM 150
MIAMI, FLORIDA 33128

The assessment/fine/restitution is payable immediately. The U.S. Bureau of Prisons, U.S. Probation Office and the U.S. Attorney's Office are responsible for the enforcement of this order.

Forfeiture of the defendant's right, title and interest in certain property is hereby ordered consistent with the plea agreement of forfeiture. The United States shall submit a proposed order of forfeiture within three days of this proceeding.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) community restitution, (6) fine interest (7) penalties, and (8) costs, including cost of prosecution and court costs.



Poelbus 1163 Oranjestad, Aruba

Ms. Paula A. Wolff, Chief
U.S. Department of Justice
10th & Constitution Avenue, N.W.
Criminal Division
Office of Enforcement Operations
International Prisoner Transfer Unit
John C. Keeny Building 12th floor
Washington D.C. 20530, USA
fax no.: 001-202-514-9003

Havensstraat 2
Oranjestad
Aruba
Tel +297 582 1415
Fax +297 583 8891
om.aruba@actametow

Department	Prosecution Service: Legal & Policy Assistance
Contact	Sergio R. Boekhout, Esq.
Extension no.	209
E-mail	beleidszaken@om.aruba.aw
Date	April 18, 2007
Our reference	0256/2007
Your reference	--
Enclosure(s)	--
Concerning	Transfer to Aruba of Richard A.A. Lacle

Dear Mrs. Wolff,

On January 16, 2007, the United States District Court Southern District of Florida (case no. 05-20859-CR-HUCK) sentenced Richard A.A. Lacle, an Aruban citizen, to a prison sentence of sixteen months with the condition that he will voluntarily surrender at the prison on or before March 12, 2007 to serve his sentence (copy enclosed).

On February 12, 2007, the attorney of Lacle in Aruba submitted to the Minister of Justice of Aruba a request for transfer of Lacle to Aruba under the Convention on the Transfer of Sentenced Persons. The attorney stated in the request that Lacle's family resides in Aruba and that his two young children are attending school in Aruba. If Lacle has to serve the complete term of his prison sentence in The United States, it will cause great distress for his family with the chance that Lacle will become estranged to them. Furthermore the attorney stated that Lacle's medical condition is not good. It appears that Lacle is suffering from high bloodpressure, gallstone and diabetes. Due to his medical condition it is of great importance that he serve his prison sentence in the near presence of his family, and of his doctors who were treating him in Aruba as to his medical condition.

According to article 2 of the Convention on the Transfer of Sentenced Persons a person can make known his desire to the State of Execution to be transferred to this State to serve his prison sentence imposed by the State of Conviction. The request of Lacle needs to be considered as such.

02/07/18 April 2007

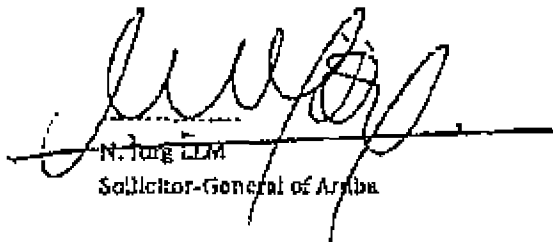
The Public Prosecutor's office informed the Minister of Justice of Aruba on the possibilities to realise the transfer of Lacle to Aruba and also on the requirements in connection with a transfer of a sentenced person as stated in the Convention. On March 20, 2007, the Minister of Justice has given his approval to the request of Lacle to be transferred to Aruba to serve his prison sentence.

According to article 3 of Convention the State of Execution (Aruba) and the State of Conviction (United States) have to agree on the transfer of the sentenced person. However at this moment it is not known if the United States will approve to the request of Lacle to serve his prison sentence in Aruba.

Considering the request of Lacle we would like to be informed of the following:

1. whether the U.S. authorities will approve to the request of Lacle to be transferred to Aruba to serve his prison sentence ?
2. taking into consideration the remainder of the sentence imposed by the U.S. authorities (as stated in article 3 of the Convention), on which date is Lacle eligible for being transferred to Aruba ?
3. all the documents that the Aruban authorities need to provide to the U.S. in order to realise the transfer of Lacle to Aruba if the U.S. authorities will approve of the request of Lacle.

Yours truly,



N. J. J. M.
Solicitor-General of Aruba

copy enclosed (sentencing minutes)

Administration of the Sentence

Name:	Richard A.A. Lacle
Sentence:	16 months
Starting date of Sentence:	January 16, 2007
Jail time credit from Jan. 17, 2007 through Jan. 17, 2007:	1 day
Good conduct time earned as of October 9, 2007:	0 days
Full term release date: (Maximum sentence)	August 7, 2008
Projected release date if prisoner remains in the United States:	June 6, 2008